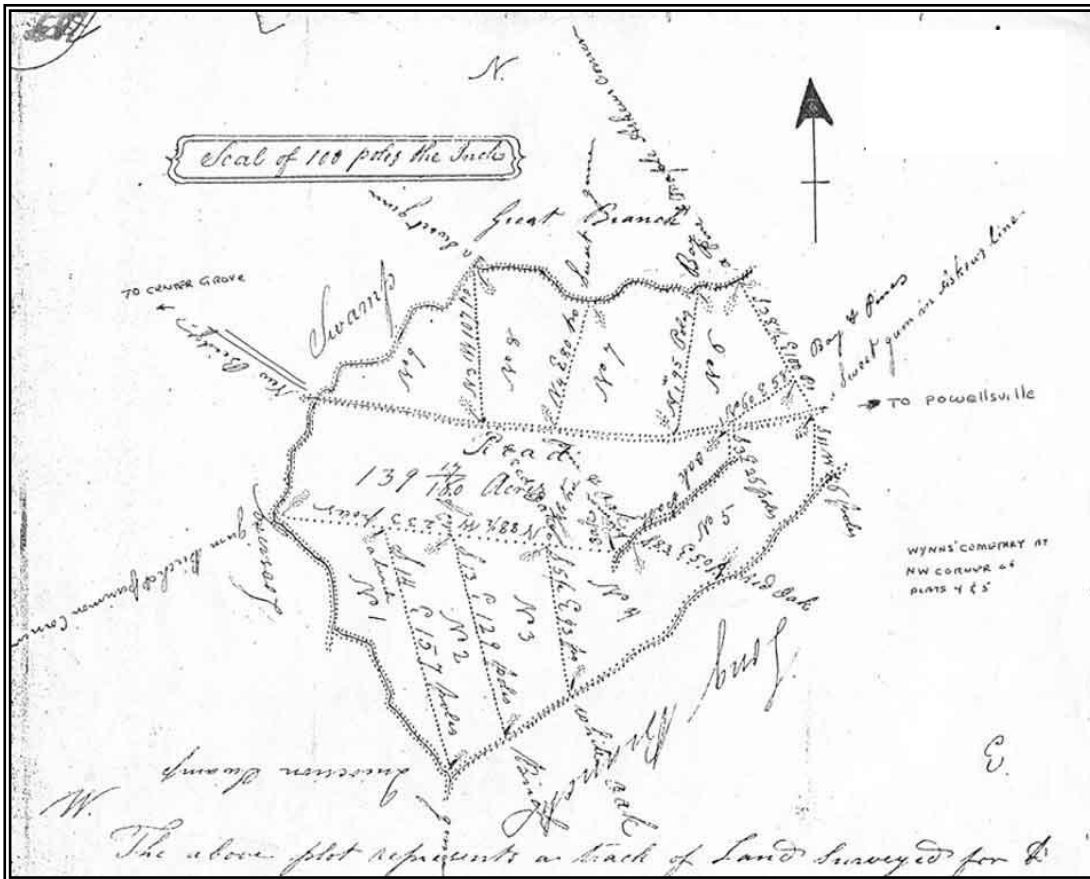


SUBDIVISION REGULATIONS



TOWN OF TROY, NEW HAMPSHIRE

AMENDED: MARCH 16, 2011; APRIL 16, 2025; JANUARY 7, 2026;
AND FEBRUARY 4, 2026

TABLE OF CONTENTS

SECTION I.	AUTHORITY AND PURPOSE	SUB - 1
SECTION II.	DEFINITIONS.	SUB - 1
SECTION III.	GENERAL REQUIREMENTS	SUB - 3
SECTION IV.	APPLICATION PROCEDURES	SUB - 4
SECTION V.	SUBMISSION REQUIREMENTS	SUB - 8
SECTION VI.	PREVIOUSLY-APPROVED SUBDIVISIONS	SUB- 10
SECTION VII.	SPECIAL FLOOD HAZARD AREAS	SUB- 10
SECTION VIII.	PERFORMANCE GUARANTEE.	SUB- 10
SECTION IX.	ADMINISTRATION AND ENFORCEMENT	SUB- 10
SECTION XI.	VALIDITY	SUB- 11
SECTION XII.	EFFECTIVE DATE	SUB- 11
SECTION XIII.	REVOCATION OF PLANNING APPROVAL	SUB- 11

APPENDICES:

- #1 Road Design and Construction Standards
- #2 Criteria for Determining Regional Impact
- #3 Application Procedure

Section I. AUTHORITY AND PURPOSE

Pursuant to the authority vested in the Troy Planning Board by the voters of the Town of Troy on March 8, 1972 and in accordance with the provisions of RSA 674:35 of the New Hampshire Revised Statutes Annotated, and as amended, the Troy Planning Board adopts the following regulations governing the subdivision of land in the Town of Troy, New Hampshire. These regulations are designed to accomplish the purposes set forth in RSA 674:36 and for the purpose of protecting the health, safety, convenience, and economic and general welfare of our citizens.

Section II. DEFINITIONS

- A. **Abutter:** Means: (1) any person whose property is located in New Hampshire and adjoins or is directly across the street or stream from the land under consideration by the local land use board; and (2) affected municipalities and the regional planning commission(s) in the event of developments having regional impact. For purposes of receiving testimony only, and not for purpose of notification, the term "abutter" shall include any person who is able to demonstrate that his land will be directly affected by the proposal under consideration. For purposes of receipt of notification by a municipality of a local land use board hearing, in the case of an abutting property being under a condominium or other collective form of ownership, the term abutter means the officers of the collective or association, as defined in RSA 356-B: 3, XXIII.
- B. **Applicant:** Means the owner of record of the land to be subdivided, or his\her designated agent.
- C. **Application, Submitted:** Means information submitted by an applicant to the Planning Board, which may or may not be complete enough to warrant acceptance by the Board.
- D. **Application, Complete:** Means the application form and all supporting documents, as specified in these Regulations, that contain all the information the Planning Board needs in order to review a subdivision proposal and make an informed decision.
- E. **Application, Accepted:** Means an application that has been accepted by a majority vote of the members at a regular Planning Board meeting.
- F. **Approval:** Means recognition by the Planning Board, certified by written endorsement on the plat, that the plat meets the requirements of these Regulations and in the judgment of the Board satisfies all criteria of good planning and design.
- G. **Approval, Conditional:** Means recognition by the Planning Board, certified by written endorsement on the plat, that the plat is not finally approved nor ready for filing with the Registry of Deeds until such time as certain conditions, set forth by the Board, are met.
- H. **Board:** Means the Planning Board of Troy.
- I. **Building Envelope:** Means an area within which a building and all associated clearing, grading, lawns, and pavement will be located.
- J. **Conservation Subdivision:** Means an alternative form of residential development where natural, historic, or other features are identified and protected from potential impacts of development.
- K. **Lot:** Means a parcel of land capable of being occupied by one principal use that is of sufficient size to meet the minimum requirements for use, building coverage, and area.
- J. **Lot Line Adjustment:** Means adjustments to the boundary between adjoining properties, where no new lots are created.
- L. **Plat:** Means the map, drawing or chart on which the plan of subdivision is presented to the Troy Planning Board for approval, and which, if approved, will be submitted to the Register of Deeds of Cheshire County for recording.

- M. Primary Conservation Area: Means land that may not be built upon or developed based on applicable Federal, State, or local laws, generally including wetlands over ½ acre in size, streams and any associated buffers, floodplains, and any slopes over 35% gradient.
- N. Private Road: Means a road that is built to town road specifications that remains under private use and ownership, and is so recorded in deeds of all abutting lots.
- O. Public Hearing: Means a meeting, notice of which must be given per RSA 675:7 and 676:4, I (d), at which the public is allowed to offer testimony.
- P. Public Meeting: Means the regular business meeting of the Planning Board as required per RSA 676:10. Notice must be posted at least 24 hours in advance and the meeting must be open to the public, although participation by the public is at the discretion of the Board.
- Q. Right-of-Way: Means a strip of land for which legal right of passage has been granted by the landowner to provide access to a lot which lacks adequate frontage.
- R. Secondary Conservation Area: Means land that has been identified in the Master Plan, the Troy Natural Resources Inventory, and any other known and accepted sources as being of a sensitive and significant nature. It is the intention of this regulation that development would avoid these areas or features; these include but are not limited to:
- 1) Productive agricultural or forest soils, based on the Cheshire County Soil Survey.
 - 2) Highest condition habitat areas as defined by the NH Wildlife Action Plan.
 - 3) Drinking water supply areas.
 - 4) Archeological features that are designated on the NH State Register of Historic Places, or the National Register of Historical Places or Historic Landmarks.
 - 5) Private cemeteries.
 - 6) Existing or planned recreational trails on or through the site.
- S. Street: Means a publicly-approved road maintained for vehicular travel; a Class VI Road; or a private road, either of which appears on a subdivision plat approved by the Planning Board.
- T. Subdivision: Means the division of a lot, tract, or parcel of land into two (2) or more lots, plats, sites, or other divisions of land for the purpose, whether immediate or future, of sale, rent, lease, condominium conveyance or building development. It includes resubdivision and, when appropriate to the context, relates to the process of subdividing or to the land or territory subdivided. The division of a parcel of land held in common and subsequently divided into parts among several owners shall be deemed a subdivision.
- U. Subdivision, Major: Means a subdivision of four (4) or more lots, or one which involves the creation of new streets and/or utilities.
- V. Subdivision, Minor: Means a subdivision of land into not more than three (3) lots for building development purposes, with no potential for resubdivision on an existing street; or one which does not involve the creation of new streets and/or utilities.
- W. Subdivision, Technical: Means a subdivision of land into two lots or sites for the purpose of conveying one such lot or site directly to an abutting landowner. The parcel to be conveyed does not constitute a separate building lot; however, said parcel may be used for building development in conjunction with contiguous land owned by the abutter.

Section III. GENERAL REQUIREMENTS FOR THE SUBDIVISION OF LAND

- A. **Character of Land for Subdivision:** Land of such character that it cannot, in the judgment of the Board, be safely used for building development purposes because of exceptional danger to health or peril from fire, flood, poor drainage, excessive slope, or other hazardous conditions, shall not be platted for residential, commercial, or industrial subdivision, nor for such other uses as may increase danger to life or property, or aggravate the flood hazard.
- B. **Premature Subdivision:** The Board may provide against such scattered or premature subdivision of land as would involve danger or injury to health, safety, or prosperity by reason of the lack of water supply, sewage disposal, drainage, transportation, schools, fire protection, or other public services which necessitate the excessive expenditure of public funds for the supply of such services.
- C. **Preservation of Existing Features:** Wherever feasible, suitable steps shall be taken to preserve and protect significant existing features such as trees, scenic points, stone walls, rock outcroppings, water bodies, and historic landmarks. Where possible, the boundary line(s) should follow stone walls.
- D. **Lots**
- 1) Areas set aside for parks and playgrounds to be dedicated or reserved for the common use of all property owners shall be of reasonable size and character for neighborhood playgrounds or other recreational uses.
 - 2) Lots shall be laid out and graded to eliminate flood or stagnant water pools. No water shall be permitted to run across a street on the surface, but shall be directed into catch basins and pipes underground in a pipe of not less than 12 inches in diameter.
 - 3) Reserve strips of land that show an intent on the part of the subdivider to control access to land dedicated or to be dedicated to public use shall not be permitted.
 - 4) Lots should not create odd-shaped or unusable remnants of land unless approved by the Board for good cause. A subdivision lot layout resulting in an unusual shape solely to satisfy minimum lot area requirements of the zoning ordinance will not be approved. Lots shall be capable of containing a building envelope (as defined in Section II, I) of a square of 100 feet on each side, exclusive of wetlands and slopes greater than 25%. The building envelope may encroach into the setbacks.
- E. **Septic systems and Water Supply**
- 1) In areas not currently served by public sewer systems, it shall be the responsibility of the subdivider or his agent to provide the necessary state approvals for the installation and operation of an individual sewage disposal system. In subdividing parcels with existing dwellings, the subdivider must demonstrate to the satisfaction of the board that the existing septic system is in good working order.
 - 2) All new wells shall have a radius of seventy-five (75) feet, said radius to be located entirely on its lot, except with the written permission of the abutter(s).
 - 3) The location, dimensions and design of all water mains and associated systems shall be as approved by the Town of Troy Water and Sewer Commission.
- F. **Subdivisions on Class VI Roads:** Major subdivisions (four or more lots) on Class VI or private roads are prohibited, and other subdivisions are generally discouraged. The Planning Board reserves the right to review any applications for subdivision on a Class VI or private road on the particular circumstances of the case. Any such approval would only be given by the Board when denial would cause unusual hardship or would serve no public purpose.

G. Streets

- 1) All new and reconstructed streets shall conform to the standards outlined in Appendix #2.
- 2) If drainage is to be maintained by the Town, a Drainage Easement shall be recorded in the Registry of Deeds that describes all culverts, drainage swales, detention basins, level spreaders, or other drainage facilities, and notes that these are conveyed to the Town along with the right of entry necessary to maintain them.

H. Design Standards for Conservation Subdivisions: The following design standards are intended to facilitate efficient development with minimal impacts on natural and other features on the site.

- 1) In order to further the purposes of Conservation Subdivision, as spelled out in Article IV of the Zoning Ordinance, all building envelopes shall be shown for each lot located within the setback lines for the lot that does not affect any of the identified features of the Primary and Secondary Conservation Areas, as defined in Section II.
- 2) The building envelope shall be oriented so that it maximizes the use of either/or passive solar or wind energy.
- 3) Building envelopes and sites shall be designed to maintain the natural topography and drainage patterns, to minimize disturbance of natural vegetation, and to minimize grading, cut-and-fill, and soil removal.
- 4) Significant trees, boundary trees, stonewalls, wetlands, streams, and other important natural features should be incorporated along the edges of individual lots or along a path or roadway.
- 5) If new streets are proposed:
 - a) They shall follow as much as possible the natural topography so as to minimize cuts-and-fills.
 - b) They shall be the minimum traveled width necessary to accommodate safe passage, but will have a designated 50-foot-wide right-of-way.
 - c) They shall be otherwise subject to the standards outlined in Appendix #2.

Section IV. APPLICATION PROCEDURES

A. Preliminary Conceptual Consultation (Optional)

- 1) The applicant may request a meeting with the Board to discuss a proposal in conceptual form and in general terms. Although this phase is strictly optional, the Board strongly suggests that the applicant avail him/herself of the opportunity to resolve any issues at this early stage that might become a problem later on. Such preapplication consultation shall be informal and directed toward:
 - a) Reviewing the basic concepts of the proposal.
 - b) Reviewing the proposal with regard to the master plan and zoning ordinance.
 - c) Explaining the state and local regulations that may apply to the proposal.
 - d) Determination of the proposal as a major, minor, or technical subdivision, and of the submission items that would be required.

- 2) Preliminary conceptual consultation shall not bind the Applicant or the Board. Such discussion may occur without formal public notice, but must occur only at a posted meeting of the Board.

B. Preliminary Review for Conservation Subdivisions (Required)

- 1) The purpose of this review is to provide an opportunity for the applicant to discuss conceptual plans with the Board prior to developing plans for submission. This review is based on the Town's land use regulations and Master Plan. The intent of a Conservation Subdivision is to pay particular attention to specific natural, cultural, and historic features that may be present on the site, with the express purpose of identifying them so that they can be protected from any potential impacts of development.
- 2) Preliminary review will be conducted at a duly-noticed meeting of the Board. The Board and the applicant shall conduct a site visit at a time agreeable to both parties. The Review is for information only and shall not bind the applicant or the Board.
- 3) Preliminary Review Information. At least one map shall be submitted that provides enough detail for the Board to have a clear understanding of the concept, and that allows for a comprehensive discussion with the Board regarding layout and/or design alternatives. The map(s) shall show, at a minimum, the following information:
 - a) An outline of the parcel and all abutting streets.
 - b) Primary Conservation Areas.
 - c) Secondary Conservation Areas.

C. Design Review Phase (Optional)

- 1) Prior to submission of an application for Board action, an applicant may request to meet with the Board or its designee for non-binding discussions beyond the conceptual and general stage, involving more specific design and engineering details of the potential application.
- 2) The design review phase may proceed only after identification of and notice to abutters and the general public as required by RSA 676:4, I (d).
- 3) Persons wishing to engage in preapplication design review shall submit a request to the Board not less than 21 days before the regularly scheduled meeting of the Board.
- 4) Statements made by Board members shall not be the basis for disqualifying said members or invalidating any action eventually taken on the application.

D. Completed Application (Required)

- 1) A completed application shall be filed with the Planning Board no later than 21 days prior to the meeting at which the application will be submitted. A completed application shall consist of all data required in Section V of these regulations.
- 2) Thirty (30 days from the date of filing, or at the next meeting for which notice can be legally posted, the Board will determine whether the application is complete and vote to accept or deny the application. If the application is incomplete, the applicant will receive a written notification of the decision stating what information needs to be provided in order to make the application complete. An amended application will need to be resubmitted under a new notification procedure.

- 3) Submission and acceptance of an application shall only occur at a regular meeting of the Planning Board after due notification has been given according to RSA 676:4, I (d). Acceptance will be by affirmative vote of a majority of the Board members present.
- 4) An application should not be accepted as complete by the planning board even though it doesn't comply with local regulations unless waivers have been submitted in writing and granted. If an applicant has provided all the necessary materials, studies, or reports required in the Regulations and/or checklist, the application must be accepted as complete.
- 5) Developments Having Regional Impact. All applications shall be reviewed for potential regional impacts according to a determination of the Board. Upon such a finding, the Board shall furnish the regional planning commission and the affected municipalities with copies of the minutes of the meeting at which the determination was made. The copies shall be sent by certified mail within 72 hours of the meeting. At least 14 days prior to any scheduled public hearing, the Board shall notify by certified mail the regional planning commission and the affected municipalities of the date, time, and place of the hearing, and their right to appear as abutters to offer testimony concerning the proposal.

E. Board Action on Completed Application

- 1) The Board shall act to approve, conditionally approve, or disapprove the Accepted Application within 65 days of acceptance. If the application is found to have regional impact, the Board has an additional 30 days to act.
- 2) As part of its deliberations, the Board shall make written findings that support the approval or disapproval of the application.
- 3) Approval of the application shall be certified by a written Notice of Decision, signed by the Chair indicating the date of the approval and any conditions attached thereto, and given to the applicant within five (5) business days of the decision. Approval of the application shall be certified by written endorsement on the Plat and signed and dated by the Chairman of the Board. The Planning Board Clerk is responsible for the filing of the approved Plat with the Register of Deeds of Cheshire County. Any subdivision plan not filed within 90 days of approval shall be considered void.
- 4) If any application is disapproved, the grounds for such disapproval shall be adequately stated in the records of the Planning Board and in written notice given to the applicant within five (5) business days of the decision.

F. Failure of the Board to Act

- 1) Should the Board fail to act within the prescribed 65, or 95 days if deemed to constitute a development of regional impact, the applicant may consent to an extension that is agreeable to both parties. If the Board determines that it does not have enough information to make a final decision and the applicant does not agree to an extension, the Board may deny the application without prejudice, allowing the applicant to reapply.
- 2) If the Planning Board fails to act on the application within the prescribed 65, or 95 days if deemed to constitute a development of regional impact, the Select Board shall certify on the application that the plat is approved. In the event the Select Board fails to act, the applicant may appeal to the superior court to issue an order approving the application.

G. Conditional Approval

The Board may grant conditional approval of an application, but the plat will not be signed or recorded until all of the conditions have been met. If the applicant has not complied with the

conditions of approval within one (1) year, the approval is considered null and void and the applicant must submit a new subdivision application. A further public hearing is not required when such conditions:

- (1) are administrative in nature;
- (2) involve no discretionary judgment on the part of the Board; or
- (3) involve the applicant's possession of permits and approvals granted by other boards or agencies, such as the Department of Transportation, the Wetlands Board, or Water Supply and Pollution Control Division; however, any subsequent change to the plan required by such approvals would constitute grounds for a new application process.

H. Expedited Review

- 1) The Planning Board may allow for an expedited review of applications for lot line adjustments, technical subdivisions or minor subdivisions, as defined in Section II of these regulations.
- 2) The Completed Application may be submitted, accepted and voted on at the same meeting, provided the public notice so indicates.
- 3) The Board may waive certain plat requirements for lot line adjustments, minor and technical subdivisions.

I. Public Hearing

Prior to the approval of a subdivision, a public hearing shall be held pursuant to RSA 676: 4, I (d) with notice given to the applicant, abutters, and the public. Public hearings may be waived for lot line adjustments. Minor or technical subdivisions do not require a public hearing unless requested by either the Planning Board, the applicant or any abutters, except that public notice shall be given prior to approval of the application.

J. Notification

- 1) Notice of a Design Review, submission of a Completed Application, or a Public Hearing shall be given by the Board by certified mail, mailed at least ten (10) days prior to the submission, to the following:
 - a) the Applicant
 - b) all Abutters
 - c) any professional whose name appears on the plan (e.g. engineer, land surveyor)
 - d) any holders of conservation, preservation, or agricultural preservation restrictions.
- 2) The public will be given notice at the same time, by posting at the Town Hall and the Post Office, and publication in the Keene Sentinel.
- 3) The notice shall give the date, time, and place of the Planning Board meeting at which the Application or other item(s) will be formally submitted to the Board, shall include a general description of the proposal which is to be considered, and shall identify the Applicant and the location of the proposal.
- 4) If the notice for the public hearing was included in the notice of submission or any prior notice, additional notice of the public hearing is not required. Additional notice is not required for a continuation of a hearing provided that the date, time, and place of the continued hearing was made known at the prior meeting.

K. Fees

- 1) All applications shall be accompanied by a check to reimburse the Board for its administrative and notification costs involved in processing applications, as specified in the Town of Troy Subdivision Application form.
- 2) All costs of notices, whether mailed, posted, or published, shall be paid in advance by the Applicant. Failure to pay costs shall constitute valid grounds for the Board to not accept the application as complete.
- 3) Pursuant to RSA 676: 4, I (g) it shall be the responsibility of the Applicant to pay reasonable fees for special investigative studies, environmental assessments, legal review of documents, administrative expenses and other matters which may be required to make an informed decision on a particular application. Failure to pay such costs shall constitute valid grounds for the Board to terminate further consideration of the application and to disapprove the Plat without a public hearing.

L. Site Inspections

- 1) Whenever the Board deems it necessary for the consideration of an application to visit the site, the Board shall request permission from the applicant. Inclusion of the public at the site inspection is at the discretion of the applicant.
- 2) Such a site inspection shall be posted as a meeting of the Board pursuant to the Right-to-Know provisions of RSA 91-A. If there is a quorum present at the site inspection, minutes shall be kept.
- 3) All applications are conditioned upon the owner allowing access to the property, to the extent reasonable and necessary to properly review the application. Denial of access automatically terminates any further consideration of the proposal.

Section V. SUBMISSION REQUIREMENTS

A completed application shall consist of the following submission items unless a written waiver from the applicant has been approved by the Board. No application shall be deemed incomplete if permits are pending from any governmental body, nor shall the Board delay action on any such application.

- A. A completed application form, accompanied by names and addresses of all abutters, taken from the town records not more than five (5) days before the day of filing, the name and address of any person whose professional seal appears on the plat, any holders of conservation, preservation, or agricultural preservation restrictions, and payment to cover filing and notification fees.
- B. Two full-size copies of the Plat, along with seven (7) 11" x 17" size copies, prepared in accordance with RSA 478:1-a (NH Plat Law) and any applicable requirements of the Cheshire County Registry of Deeds. If requested, the applicant shall also provide a pdf file of the application. The plat shall show the following information:
 1. Proposed subdivision name or identifying title; name and address of the owner. If applicant is not the owner, written certification from the owner stating that the applicant is acting on behalf of the owner.
 2. North arrow, scale, date of the plan.
 3. Name, license number and seal of the surveyor; signature block for Planning Board endorsement.

4. Condition of survey stating tolerances that are met for the survey of the tract, parcel or lot following the New Hampshire Land Surveyors Association guidelines.
5. Names of all abutting subdivisions, streets, easements, building lines, parks and public places, and similar facts regarding abutting properties.
6. Locus plan showing general location of the total tract within the town and the zoning district(s).
7. Boundary survey including bearings, distances and the location of permanent markers. The survey shall be conducted according to the standards outlined by the New Hampshire Land Surveyors Association (see Appendix).
8. Location of property lines, lot areas in square feet and acres, frontage on public rights-of-way, and building setback lines. Each lot shall be numbered according to the Troy tax map numbering system.
9. Existing and proposed easements and rights-of-way.
10. Location of existing and proposed buildings or other structures.
11. Water courses, ponds, standing water, rock ledges, stone walls, and other natural features.
12. Existing and proposed foliage lines and open space.
13. Location and profiles with elevations of existing and proposed water mains, sewers, culverts, drains, and proposed connections or alternative means of providing water supply and disposal of sewage.
14. Location of percolation tests and test results, and 4,000 square-foot septic area.
15. Location of 75-foot well radius.
16. Location of existing and proposed driveways, including driveway width.
17. Existing and proposed streets with names, classification, travel surface widths and right-of-way widths.
18. Final road profiles, center line stationing and cross sections.
19. Existing and proposed topographic contours based upon the USGS topographical data, with spot elevations where necessary.
20. Soil data based on Cheshire County Soil Survey, including wetland delineation; and flood hazard areas.
21. Base flood elevations.
22. Slopes over 35% gradient.
23. Drinking water supply areas.
24. Existing or planned recreational trails on or adjacent to the parcel.
25. Archeological features that are designated on the NH State Register of Historic Places, or the National Register of Historical Places or Historic Landmarks.

C. Other Information As Applicable

- 1) Drainage/Sedimentation and Erosion Plan.
- 2) State septic design approval, and/or septic designer certification.
- 3) State highway/Town driveway permit.

- 4) Any other state and/or federal permits.
- 5) Any deed restrictions; and all deeds covering land to be used for public purposes, easements and rights-of-way over property to remain in private ownership, and rights of drainage across private property are submitted in a form satisfactory to the Board's counsel.
- 6) Any additional reports or studies deemed necessary by the Board to make an informed decision, including but not limited to: traffic, school, fiscal and environmental impact analyses. The Board reserves the right to request such information after an application has been accepted as complete.

Section VI. PREVIOUSLY-APPROVED SUBDIVISIONS

If any land shown on a subdivision plat has been part of any previous subdivision approved, constructed, or created by conveyance no more than five (5) years prior to the new proposal, any such previous subdivision will be treated as part of the new proposal for purposes of analyzing its effect and applying all review criteria.

Section VII. SPECIAL FLOOD HAZARD AREAS

- A. The Planning Board shall review the proposed development to assure that all necessary permits have been received from those governmental agencies from which approval is required by Federal or State law, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334.
- B. The Board shall require that all subdivision proposals and other proposed new developments greater than 50 lots or 5 acres, whichever is the lesser, include within such proposals base flood elevation data. Sufficient evidence (construction drawings, grading and land treatment plans) shall be submitted so as to allow determination that:
 - i) all such proposals are consistent with the need to minimize flood damage;
 - ii) all public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage; and
 - iii) adequate drainage is provided so as to reduce exposure to flood hazards.

Section VIII. PERFORMANCE GUARANTEE

- A. As a condition of approval, the planning board may require the posting of a performance guarantee in an amount sufficient to defray the costs of construction of streets and/or public utilities. The amount of the security shall be based on an estimate of costs provided by the subdivider.
- B. The amount of the security may also include fees to cover the cost of periodic inspections, if deemed necessary. The security shall be approved as to form and sureties by the Board and the municipal counsel; however, in no event shall the exclusive form of security be in the form of cash or a passbook.
- C. At the discretion of the Planning Board, the proposed security shall be reviewed by a licensed engineer. All costs of such review shall be paid by the applicant.

- D. Where electric lines or other utilities are to be installed by a corporation, municipal department, or public utility, a letter of intent shall be required stating that the work will be done in reasonable time and without expense to the Town. Each approved plat shall contain a time limit for the completion of streets and public improvements.
- E. The performance guarantee shall be released in phases as portions of the secured improvements or installations are completed and approved by the Board or its designee, in accordance with the plan approved by the Board.

Section IX. ADMINISTRATION AND ENFORCEMENT

- A. These regulations shall be administered by the Planning Board. The enforcement of these regulations is vested with the Select Board.
- B. Waivers: The requirements of the foregoing regulations may be waived or modified when the Board finds by majority vote that strict conformity would pose an unnecessary hardship to the applicant and waiver would not be contrary to the spirit and intent of these regulations; or specific circumstances relative to the subdivision, or conditions of the land in such subdivision, indicate that the waiver will properly carry out the spirit and intent of these regulations.
- C. Penalties and Fines: Any violation of these regulations shall be subject to a civil fine as provided in RSA 676:16 and 676:17, as amended.
- D. Appeals: Any person aggrieved by a decision of the Planning Board concerning a plat or subdivision may appeal said decision to the superior court pursuant to RSA 677:15, except when a disapproval by the Board is based upon non-compliance with the zoning ordinance, in which case appeal may be made to the Zoning Board of Adjustment.

Section X. VALIDITY

If any section or part of a section or paragraph of these regulations shall be declared invalid or unconstitutional, it shall not be held to invalidate or impair the validity, force or effect of any other section or part of a section or paragraph of these regulations.

Section XI. EFFECTIVE DATE

These regulations shall take effect upon their adoption, and all regulations or parts of regulations, inconsistent therewith, are hereby repealed.

Section XII. REVOCATION OF PLANNING BOARD APPROVAL

An approved and recorded subdivision plat may be revoked by the Board in whole or in part, under the following circumstances: (1) at the request of or by agreement with the applicant; (2) when any requirement or condition of approval has been violated; (3) when the applicant has failed to perform any condition of approval within the time specified or within four years; (4) when four years have elapsed without any vesting of rights and the plan no longer conforms to applicable regulations; or (5) when the applicant has failed to provide for the continuation of adequate security.

APPENDICES:

- 1 - Survey, Construction, and Road Standards
- 2 - CRITERIA FOR DETERMINING REGIONAL IMPACT
- 4 - APPLICATION PROCEDURE FLOWCHART

APPENDIX #1

Survey, Construction and Road Standards

I. Survey Standards

All surveys shall be prepared according to the minimum standards for instrument surveys adopted by the NH Land Surveyors Association for Standard Property Surveys, as follows:

<u>Condition</u>	<u>“1”</u>	<u>“2”</u>	<u>“3”</u>
Unadjusted Linear Closure	1:15,000	1:7,500	1:300
Minimum Scale Graduation of Instrument	20/sec.	30/sec.	1 deg.
Distance Measurement	EDM/Steel	EDM/Steel	Steel Tape/Stadia
Elevation Used to Determine Property Lines	0.2'+/-	0.5'+/-	n/a

- ◆ Condition “1” shall be required for any subdivision of less than two (2) acres that involves building of any kind – i.e., residential, commercial or industrial.
- ◆ Condition “2” is adequate for subdivisions of two (2) acres or more in a rural district.
- ◆ Condition “3” is acceptable for subdivisions involving wood lots, timber lots, or large tracts being dedicated to preservation or conservation. The standards of Condition “3” may be achievable with a tape & compass survey.

In the case of applications that involve large acreages from which one building lot is being subdivided, the Board may, upon written request, waive the requirement for a complete boundary survey, when it is apparent that the remaining lot can meet existing frontage requirements and is suitable for building.

II. Road Design Standards

- A. No right-of-way shall be less than fifty (50) feet in width. The width of the finished roadway shall be determined by the Planning Board, but in no case shall be less than 18 feet.
- B. No dead-end streets shall be constructed unless provided with a turnaround roadway at the end with a minimum radius of sixty (60) feet.
- C. The arrangement of streets in the subdivision shall provide for the continuation of the principal streets in adjoining subdivisions or for their projection when adjoining property is not subdivided, and shall be of a width at least as great as that of the existing connecting streets.
- D. Streets shall be laid out to intersect as nearly as possible at right angles. No street shall intersect another with an angle of less than sixty (60) degrees. Corner radii shall not be less than thirty (30) degrees.
- E. Streets entering opposite sides of another street shall be laid out either directly opposite one another or with a minimum offset of 125 feet between their center lines.
- F. Names of new streets shall not duplicate nor bear phonetic resemblance to the names of existing streets within the Town. Streets which join or are in alignment with new streets of abutting properties shall bear the same name. Names of all new streets shall be approved by the Selectmen.

- G. The width of blocks shall not be less than 200 feet; nor shall the length exceed 1800 feet, or be less than 500 feet.

III. Construction Standards

- A. Monuments constructed of concrete or stone at least four (4) inches square on the top and at least 30 inches long shall be set at all control corners.
- B. Pipes shall be set at all lot corners. Concrete or granite bounds shall be set at all points of curvature and all points of tangent for surveying purposes.
- C. All loam and other yielding material shall be removed from the roadway and replaced with approved material. Boulders and ledge shall be broken off to a depth of not less than 30 inches below finished grade; loose portions of ledge and boulders to be removed.
- D. All streets shall be subgraded with at least 12 inches of bankrun gravel to a width of at least 30 feet and topped with four (4) inches of crushed gravel to a width of 22 feet finished road width.
- E. The surface course shall consist of two applications of Bituminous Concrete consisting of a two (2) inch base course and one (1) inch wearing course after compaction by a roller weighing not less than 10,000 pounds.
- F. Grades of all streets shall conform in general to the terrain and shall so far as practicable not exceed eight percent (8%). No street shall have a grade of less than one-half of one percent (.05%). Where practical, lots shall be graded toward the streets.
- G. All slopes shall be graded, loamed, hayed and seeded. No slope, cut or fill will be greater than two horizontal to one vertical in ledge, or three horizontal to one vertical in all other materials.
- H. All proposed drainage facilities and culverts shall be installed. Natural water courses shall be cleaned and increased in size where necessary to take care of storm runoff. Drainage swales at least three feet in width and 16 inches in depth at its midpoint below centerline grade shall be constructed in the street right-of-way on both sides of the paved roadway.

Drainage facilities must be adequate to provide for the removal of storm water to prevent flooding of the pavement and erosion of adjacent surfaces. Roadway drainage shall be sized to accommodate the 25-year rain event, internal drainage shall be sized to accommodate the 10-year rain event.
- I. The recommendations of the Town Road Agent respecting locations of culverts, drainage, and type and quality of fill and subfill shall be followed.
- J. Where determined necessary by the Road Agent, driveway aprons for driveways off of paved Town roads shall be paved for a distance of twenty (20) feet.

IV. Private Roads

In order to encourage interior development as an alternative to development exclusively or primarily on major roads and streets (so-called strip development), and to allow development at no additional cost to the Town, the Planning Board may approve the layout of roads to be built and maintained by the landowner(s) according to the following conditions:

- A. Before final approval of a private subdivision road, the Applicant shall post a bond or other surety to cover the cost of construction and maintenance of the road and utility lines, if any. Said guarantee shall remain in effect for a minimum of five (5) years and

may be extended by the Planning Board for an additional period if deemed necessary, after a site inspection and recommendation by the Town Road Agent.

- B. A maintenance agreement shall accompany the plan to be recorded which states to what extent each parcel or lot is responsible for maintenance of the private road. The agreement shall run with the land, and upon any future conveyance of property, the agreement shall be incorporated in and made part of a conveyance binding upon the parties thereto, their successors and assignees.
- C. The Board may agree to a lesser standard of construction for a private road, with the understanding and agreement of the applicant that, should the Town ever decide to take over the road, it would have to be improved to Town road specifications.
- D. The Applicant shall sign a "Statement of Agreement" with the Town, indicating she/he understands that the Town is under no obligation to take over maintenance or ownership of the road.
- E. No private subdivision road will be approved unless adequate provision is made for any utilities serving the site. The plan submitted must show the location and size of necessary utility easements; and if private lines are to be connected to public lines, a public "turn off" must be installed and maintained by the Applicant at the end of the public line.

**Table #1:
Roadway Geometric Design Standards**

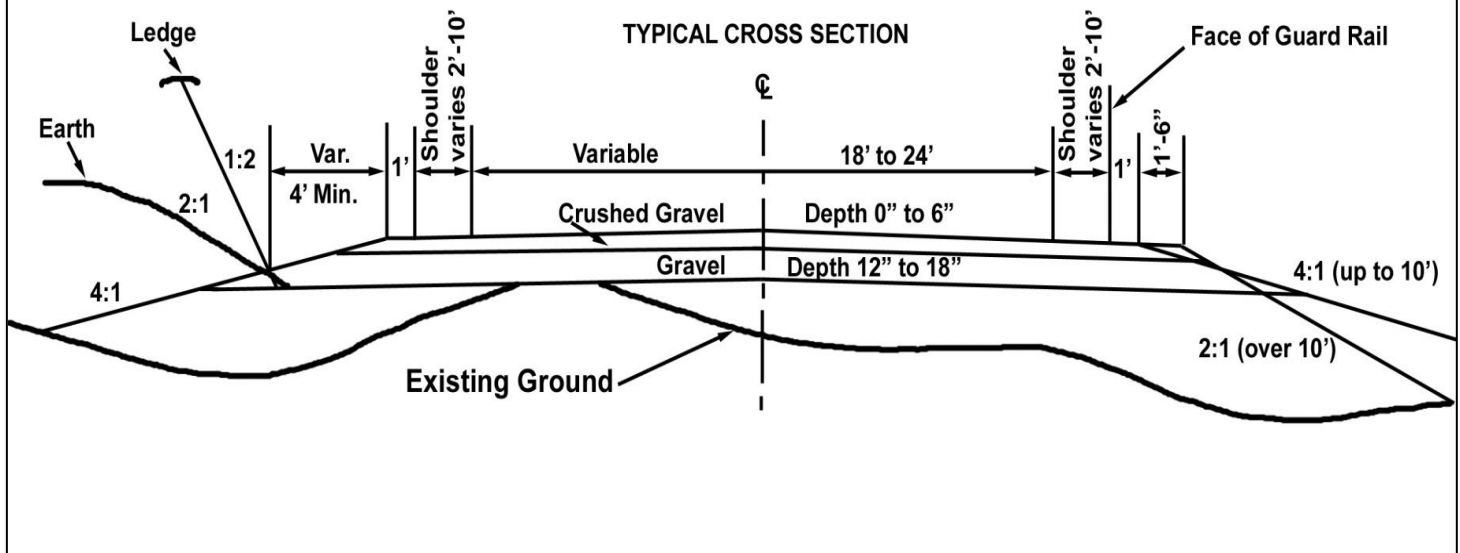
Note: All standards should be considered minimums, except as otherwise noted.	Average Daily Traffic (vehicle trips per day)		
	0 - 200	200 - 1500	1500 and over
Right-of-way Width	50 feet	50 feet	60 – 80 feet
Traveled way Width	18 - 20 feet	20 - 22 feet	24 feet
Shoulder Width	2 feet	3 feet	4 - 10 feet
Minimum Grade	1%	1%	1%
Maximum Grade	8.0%	8.0%	8.0%
Maximum Grade within 100 feet of Intersections	2.0%	2.0%	2.0%
Angle of Intersection	75	75	75
Centerline Radii	200 feet	200 feet	300 – 600 feet
Intersection Radii: 0 – 200 ADT 200 – 1500 ADT 1500 and over ADT	30 feet 30 feet 30 feet	30 feet 30 feet 30 feet	30 feet 30 – 50 feet 50 feet
Rate of Super Elevation (Use AASHTO Chart)	.04 feet	.04 feet	.08 feet
Rate of Super Elevation through intersection	.04 feet	.04 feet	.04 feet
Cross Slope of Pavement	2%	2%	2%
Slope of Shoulder	5%	5%	5%

Figure #1:
Minimum Geometric & Structural Guides for Local Roads and Streets

Geometric Cross Section Design

Average Daily Traffic (Veh.Day)	0-50	50-200	200-750	750-1500	1500 & OVER
Pavement Width (Feet)	18 min.	20	20	22	24
Shoulder Width (Feet)	2	2	4	4	8-10
Center of Road to Ditch Line	15	16	18	19-21	Varies
Pavement Type	Gravel	Asph. Surf. Treated	Hot Bitum. 2 in.+1 in.	Hot Bitum. 2 in.+1 in.	Hot Bitum. 3 in.+1 in.
Slope of Roadway	4%	3%	2%	2%	2%
Base Course Depth - (Gravel)	12 in.	12 in.	12 in.	12 in.	18 in.
(Cr. Gravel)	3 in.	4 in.	4 in.	6 in.	6 in.

- Notes
1. Gravel surface should be paved where steep grades occur.
 2. For average daily traffic over 1000 veh./day paved shoulders should be considered
 3. Base course depths may need to be increased in areas of poor soils



APPENDIX #2

Criteria for Determining Regional Impact

Impact Criteria shall include, but not be limited to, the following items. These shall in no way be considered exhaustive, but rather guidelines for the Board to follow in making a determination of impact on a neighboring municipality.

- A. **Residential Development:** Proposals for lots or dwellings that would increase the existing housing stock of the town by more than 25%.
- B. **Commercial Development:** Proposals for new or expanded space of 50,000 square feet or greater.
- C. **Industrial Development:** Proposals for new or expanded space of 100,000 square feet or greater.
- D. **Other Factors to be Considered:**
 - 1. Proximity to other municipal boundaries
 - 2. Traffic impacts on the regional road network.
 - 3. Potential effect on groundwater, surface water and wetlands that transcend municipal boundaries.
 - 4. The potential to disturb or destroy a significant or important natural environment or habitat.
 - 5. The necessity for shared public facilities such as schools or solid waste disposal.
 - 6. Anticipated emissions such as light, noise, smoke, odors, or particulates.
 - 7. The potential for accidents that would require evacuation of a large area.
 - 8. The generation and/or use of any hazardous materials.

APPENDIX #3

Application Procedure (Pursuant to RSA 676:44)

1. Pre-Application Phase (Optional)

- Applicant requests **preliminary conceptual consultation**
- Planning Board provides **non-binding guidance**
- No formal notice required unless design review is requested

2. Design Review Phase (Optional)

- Applicant submits preliminary materials
- Abutter notice and public meeting required
- Board provides feedback on layout, access, utilities, constraints
- No binding decisions made

3. Formal Application Filing

- Applicant submits (21 days prior to the next meeting):
 - Completed application form
 - Fees and escrow (if required)
 - Abutter list
 - Plat and supporting documents
 - State permit applications (if applicable)
- Staff will mail and post notice of submission at designated meeting.

4. Public Meeting

- Staff or Board reviews for **basic completeness**
- If obviously incomplete → returned without formal acceptance
- If deemed complete, Board will move into public hearing on the proposal

5. Public Hearing

- Begins immediately after acceptance (unless continued)
- Applicant presents plan
- Board receives public comment
- Board reviews technical details (roads, drainage, utilities, zoning compliance)
- Board may:
 - Request additional information
 - Require engineering review
 - Continue the hearing to a date certain
- Applicant submits revised plans

6. Board Deliberation

- After closing the public hearing, Board deliberates on:
 - Zoning compliance
 - Subdivision regulation compliance
 - State permits
 - Impact on traffic, drainage, environment, and municipal services

7. Decision

Board votes to:

- **Approve with Findings**
- **Approve with Findings and Conditions**
- **Disapprove**
- All decisions must be in writing and provided to the applicant within five (5) business days

Statutory deadline: **65 days** from acceptance unless extended/95 days if deemed Regional Impact)

8. Post-Approval Requirements

- Applicant satisfies conditions of approval
- Final mylar prepared
- Board signs plat
- Performance guarantees posted (if required)

9. Recording

- Plat recorded at the County Registry of Deeds
- Approval becomes final upon recording
- Town receives paper/digital copies as required

10. Post-Recording Administration

- Building permits may be issued
- Road construction and inspections proceed
- Compliance monitored by town staff or engineer